

# **EXHIBIT “12”**



NEW YORK STATE  
**DIVISION OF HUMAN RIGHTS**  
55 HANSON PLACE, ROOM 304  
BROOKLYN, NEW YORK 11217  
(718) 722-2856  
Fax: (718) 722-2869  
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DAVID A. PATERSON  
GOVERNOR

GALEN D. KIRKLAND  
COMMISSIONER

March 26, 2010

New York City Department of Education  
Office of the General Counsel  
52 Chambers Street, Room 308  
New York, NY 10007

Re: Merlene Bacchus v. New York City Department of  
Education  
Case No. 10140309

Enclosed is a copy of a verified complaint filed with the Division of Human Rights against you. This complaint, which alleges an unlawful discriminatory practice in violation of the New York State Human Rights Law, is being served upon you pursuant to Section 297.2 of the Human Rights Law (N.Y. Exec. Law, art. 15).

Please submit a response **in duplicate** to each and every allegation in the complaint, complete the enclosed Respondent Information Sheet, and return the response and Information Sheet to the Division, at the address above, **within fifteen (15) calendar days from the date of this letter**. The Division will not extend the time for this response, unless good cause is shown in a written application, submitted at least five (5) calendar days prior to the time the response is due. **Failure to respond could result in an adverse finding against you, which would be shared with, among others, the Secretary of State and the applicable State licensing agencies that govern your business.**

The Human Rights Law prohibits retaliation against any person because he or she has opposed discriminatory practices, filed a discrimination complaint, or participated in any proceeding before the Division. Human Rights Law § 296.7.

Anyone who willfully resists, prevents, impedes or interferes with the Division's investigation shall be guilty of

a misdemeanor punishable by imprisonment, by fine, or by both.  
Human Rights Law § 299.

As the enclosed information sheet provides, the Division will conduct a prompt investigation, based on the complaint and your response, which may include interviews with your representatives and the collection of documents. The Division expects your full cooperation in this investigation. After the investigation is completed, the Division will make a determination as to whether there is probable cause to believe that unlawful discrimination has occurred. You will be notified of this determination.

If you have any questions about the process generally, or how to submit your response, please call me at (718) 722-2856.

Very truly yours,

A handwritten signature in black ink, appearing to read "Carmen Acosta", with a large, stylized flourish at the end.

Carmen Acosta  
Regional Director

Enclosures:  
Verified Complaint  
Respondent Contact Information Form  
Information for Respondents